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Attorney for Defendants

Richard T. Warner, Jr. and Western Express Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRACY NICHOLE TEOFRIJO.

CASE NO.: 2:15-cv-01747-JAD-GWF

Plaintiff,

ORDER

VS.

RICHARD T. WARNER, JR.; WESTERN EXPRESS, INC., NAVISTAR LEASING SERVICES CORPORATION; DOES I through XX, inclusive and ROE BUSINESS ENTITIES I through XX, inclusive,
Defendants.

STIPULATION TO EXTEND BRIEFING

(Third Request)

Pursuant to Local Rules (“LR”) IA 6-1, Defendants, Richard T. Warner, Jr. (“Warner”) and Western Express, Inc. (“Western Express”), and Plaintiff, Tracy Nichole Teofrio (“Teofrio”), by and through their respective attorneys, stipulate as follows:

¹. On April 13, 2018, Warner and Western Express filed their motion for summary

judgment [ECF No. 54]. On May 4, 2018, Teofrio filed her response [ECF No. 58] and, on May 11,

1 2018, she filed a supplement to her response [ECF No. 62].

2 2. On May 7, 2018, Warner and Western Express filed their motion to preclude the opinions
3 and testimony of Plaintiff's expert, Paul Herbert [ECF No. 60].
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5 3. On May 11, 2018, Warner and Western Express filed their motion to preclude the
6 opinions and testimony of Plaintiff's expert, James Loong [ECF No. 61].
7

8 4. The parties previously requested and obtained an extension to file a reply to the motion
9 for summary judgment [ECF No. 54] and responses to the motions regarding experts Paul Herbert [ECF
10 No. 60] and James Loong [ECF No. 61]. *See* ECF No. 67 responses to all motions
11 because lead counsel for Warner and Western Express is out of the country from May 18, 2018 through
12 June 1, 2018.
13

14 5. Plaintiff filed a motion requesting a settlement conference. ECF No. 69. The court gave
15 Defendants until June 15, 2018 to respond to the motion. ECF No. 70. Defendants' response to the
16 requested settlement conference and the potential for the parties to attend a settlement conference
17 impacts the briefing on these three pending motions.
18

19 6. The parties have agreed to this recent extension, because they believe the court's decision
20 on the pending motion requesting a settlement conference [ECF No. 69] will effect the briefing on the
21 three motions addressed in this stipulation. For example, if a settlement conference is ordered and
22 depending on when that conference is ordered, the parties may want to delay further briefing on all or
23 some of the three motions identified in this stipulation so resources may be diverted towards settlement
24 negotiations. Therefore, the parties agree that there is good cause for this stipulated extension. This
25 extension is also reasonable and will not unduly delay the resolution of this action. Discovery was
26 recently reopened for a very limited purpose [ECF No. 68] and there is no trial date.
27

28 7. Therefore, the parties stipulate and agree that deadline for Warner and Western Express

1 to file and serve their reply to their motion for summary judgment [ECF No. 54] be extended to June 29,
2 2018.

3 8. The parties further stipulate and agree that the deadline to file a response to Warner and
4 Western Express' motion to preclude the opinions and testimony of Plaintiff's expert, Paul Herbert [ECF
5 No. 60] should be extended to June 29, 2018.

6 9. The parties further stipulate and agree that the deadline to file a response to Warner and
7 Western Express' motion to preclude the opinions and testimony of Plaintiff's expert, James Loong
8 [ECF No. 61] should be extended to June 29, 2018.

9 10. This is the third request for an extension of these deadlines and is not made for
10 purposes of delay.

11 DATED: June 15, 2018

12 HALL JAFFE & CLAYTON, LLP

13 By: /s/ Ashlie Surur

14 Steven T. Jaffe, Esq. (Nevada Bar No. 7035)
15 Ashlie L. Surur, Esq. (Nevada Bar No. 11290)
16 7425 Peak Drive
17 Las Vegas, Nevada 89128
18 Attorney for Defendants
19 Richard T. Warner, Jr. and Western Express Inc.

DATED: June 15, 2018.

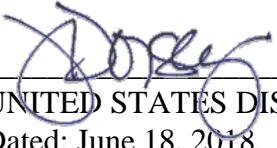
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By: /s/ Joseph C. Chu

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Las Vegas, Nevada 89101
Attorneys for Plaintiff, Tracy Nichole Teofrio

20 IT IS SO ORDERED

21 **ORDER**

22
23
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25 UNITED STATES DISTRICT JUDGE
26 Dated: June 18, 2018.
27
28